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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/653,215 | 08/31/2000 | Thomas E. Saulpaugh | 5181-70400 | 4761 |
| 7590 | 05/16/2005 | | EXAMINER | CHEN, SHIN HON |
| Robert C Kowert Conley Rose & Tayon PC P O Box 398 Austin, TX 78767-0398 | | | ART UNIT | PAPER NUMBER |
| | | | 2131 | |

DATE MAILED: 05/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|---|------------------------|---------------------|--|
| Advisory Action Before the Filing of an Appeal Brief | Application No. | Applicant(s) | |
| | 09/653,215 | SAULPAUGH ET AL. | |
| | Examiner | Art Unit | |
| | Shin-Hon Chen | 2131 | |

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

THE REPLY FILED 25 April 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

a) The period for reply expires 3 months from the mailing date of the final rejection.
 b) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
 (a) They raise new issues that would require further consideration and/or search (see NOTE below);
 (b) They raise the issue of new matter (see NOTE below);
 (c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 (d) They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
 5. Applicant's reply has overcome the following rejection(s): _____.
 6. Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. For purposes of appeal, the proposed amendment(s): a) will not be entered, or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: _____.

Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
 9. The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
 10. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
 See Continuation Sheet.
 12. Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____.
 13. Other: _____.

Continuation of 11. does NOT place the application in condition for allowance because: The independent claim fails to disclose the entity that receives the capability credential request and grant the client the capability requested. Therefore, the applicant is advised to disclose the claimed invention more specifically. As per claim 1, applicant argues that the reference does not disclose the client indicating a set of desired capabilities. However, Czerwinski discloses a client contacts the CA and specifies the principal's certificate that it is interested in (section 3.3) so that client can use that as capability to interact with other principals. As per claim 2, applicant argues that the reference does not disclose the credential request message comprises an identification of said first service and an indication of the set of desired capabilities. However, Czerwinski discloses the first service, which is the SDS service, and the set of desired capabilities (section 3.1 paragraph 5 and 6.1) the set of desired capabilities are the services that the client wants. Therefore, applicant's argument is respectfully traversed. As per claim 3, applicant argues that the identification of said first service comprises a UUID. However, Czerwinski discloses that the SDS is connected to the client through ARMI, which commonly uses UUID to identify the service (section 3.1 paragraph 5 and 3.5.3). As per claim 4, applicant argues that the reference does not disclose the capability credential request message is formatted in XML. However, since the SDS query is in XML format and the query contains the capabilities. Therefore, the capabilities credential request message and the credential are communicated in XML format in order to make it easier to communicate and since XML is a well known data representation language, it would be design choice to apply similar data representation languages. As per claim 5, applicant argues that reference does not disclose an indication of said advertisement. However, Czerwinski discloses the advertisement domain contains the service announcements and contact information for the capability manager and certificate authority that are indication of the desired capabilities.



AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100